

MEMO

Submitted by: Paul Fassinger

Subject: SB375 Implementation Policies

Date: November 5, 2009

Executive Summary

This item considers the policies for SB 375 Implementation adopted at the September 2009 Joint Policy Committee (JPC). The staff memo describes the process used to obtain comments on earlier draft policies, and provides the revised policies that were adopted by the JPC at that meeting.

The ABAG Executive Board provided its input on the draft policies at its May 2009 meeting.

The JPC has referred the policies to its four member agencies for action. The Bay Conservation and Development Commission has already adopted the policies. The Bay Area Air Quality Management District and the Metropolitan Transportation Commission are placing the policies on their December agendas.

Recommended Action

The Executive Board Adopt the Policies for Implementing SB 375 Integrated Land Use and Transportation Planning to Reduce Greenhouse Gases.

Next Steps

MEMO

To: ABAG Executive Board
From: Paul Fassinger, Research Director
Date: November 2, 2009
Subject: Policies for Implementing SB 375

Recommendation: The Executive Board Adopt the Policies for Implementing SB 375 Integrated Land Use and Transportation Planning to Reduce Greenhouse Gases

Summary

Attached is a memo from the September 2009 Joint Policy Committee (JPC). It describes the process used to obtain comments on earlier draft policies, and provides the revised policies that were adopted by the JPC at that meeting.

The ABAG Executive Board provided its input on the draft policies at its May 2009 meeting.

The JPC has referred the policies to its four member agencies for action. The Bay Conservation and Development Commission has already adopted the policies. The Bay Area Air Quality Management District and the Metropolitan Transportation Commission are placing the policies on their December agendas.

Implementation Policies

In brief, the implementation policies are designed to identify a process where we work cooperatively with local partners (CMAs, local governments and others), state agencies and the regional stakeholders to create a Sustainable Communities Strategy (SCS):

Policy 1: The Bay Area regional agencies will fully participate in the regional target-setting process. If we eventually recommend a target it should give primary attention to the scientific assessment of need and use the SCS to judge feasibility. We will establish 25-year housing-growth targets no later than the release of final GHG-targets in September, 2010. We will also seek clear measurements of performance so that we can assess our performance compared to the regional targets.

Policy 2: We will construct an integrated modeling system which, to the extent possible, provide technical, decision-maker and public understanding of how land-use and transportation decisions can be coordinated so as to reduce GHG emissions. Recognizing the limitations of models to accurately predicting the future and guiding choice

Policy 3: The Bay Area regional agencies are committed to achieving the region's GHG-reduction targets through a realistic and attainable SCS and will prepare an Alternative Planning

Strategy only as a last resort. The SCS will be prepared cooperatively, and the regional agencies will seek to make tangible commitments that support the SCS.

Policy 4: The Bay Area regional agencies will initiate discussions and consult with our neighboring regions throughout the model-development and SCS planning processes to facilitate consistency in assumptions and policies.

Policy 5: The SCS, RTP and RHNA will be developed together through a single and integrated cross agency work program, developed and implemented in partnership with the other regional agencies, congestion management agencies, local governments, and non-governmental organizations which have a stake in the work and its outcomes.

Policy 6: In consultation with appropriate CEQA authorities, the regional agencies will develop and finalize, no later than June 2010, a functional design for the structure and content of the SCS, the APS and associated environmental impact review documents sufficient for these to be confidently employed as the basis for determining eligibility for CEQA assistance as contemplated in SB 375 and, if feasible, to provide additional CEQA assistance for projects which contribute positively to environmental objectives for the region.

Policy 7: Starting immediately, and consistent with the JPC's role as defined in state law, all *significant* regional-agency policy documents affecting the location and intensity of development or the location and capacity of transportation infrastructure will be vetted through the JPC and evaluated against the filter of the emerging SCS. The final decision on any regional policy will continue to rest with the responsible regional board or commission to which the JPC is advisory.

Revisions to the Policies

Since the ABAG Executive Board reviewed the original draft policies at its May 2009 meetings, staff from the Joint Policy Committee, ABAG, MTC, the Bay Area Air Quality Management District, and the Bay Conservation and Development Commission have been meeting with representatives of local government and various regional stakeholders to describe the policies and discuss concerns.

The involvement of the county Congestion Management Agencies in the SCS process has been the most expansive discussion. The regional agencies and the Congestion Management agencies have been able to agree to cooperate on technical, policy and outreach tasks that are necessary to achieve a bay area Sustainable Communities Strategy.

The policies as now drafted respond positively to most of the major concerns as expressed by our Partners, stakeholders and elected officials like the Executive Board. A few concerns remain, but are directed more at SB 375 itself than at our proposed implementation.

Conclusion

Ted Droettboom and I will describe these issues in more detail at the meeting. The JPC has forwarded the Implementation Policies to its member regional agencies with the recommendation that they be adopted. ABAG's staff joins in that recommendation.

